

## AMUSEMENTS.

Both Phones 323.

Orpheum  
THEATRE

(Formerly Grand Opera House.)

ONE CONCERT ONLY

## The Ellery Band

Fifty Musicians—Twelve Soloists—Two Vocalists From Metropolitan Opera House.

Friday Evening, Aug. 13

VAUDEVILLE SEASON

OPENS SUNDAY

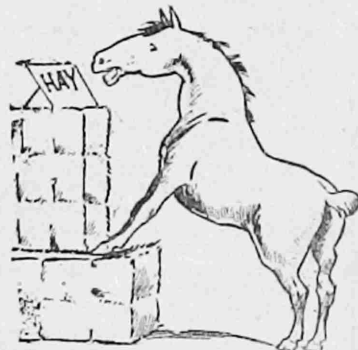
TICKETS NOW ON SALE.

PALMIST  
Queen  
Louise

446 22nd St.



Telling complete Life without asking questions. Prices—50c and \$1.00. Under age of 15 years—25c.

ANY OLD ANIMAL  
knows at a glance that our hay is the best product on the market, and your horse above all others will appreciate our hay and grain.CHAS. F. GROUT  
DEALER IN HAY, GRAIN AND BOX MATERIALS.  
352 Twenty-fourth Street.

## CHICAGO HOUSE

FURNISHED ROOMS BY THE DAY, WEEK OR MONTH

330 24th Street OGDEN, UTAH

NAUTICAL WONDERS  
NEAR CAPE HATTERAS

New York, Aug. 10.—The Atlantic ocean in the vicinity of Cape Hatteras has become a rendezvous for many nautical wonders, according to the skipper of ships arriving at this port. Recently, one captain reported sighting twenty dead whales, which were being consumed by thousands of sharks in that vicinity. Another ship reported yesterday the sighting of a school of more than eighty whales in lively pursuit of millions of mackerel.

The captain of another vessel has brought in a story of the gulf stream running backward off Cape Hatteras, and now comes Captain Ortel of the steamship Bradford, which just arrived, with the story that huge flying fish, flaming red in color, propelled by their tails and carrying long swords in front of them, abound off Cape Hatteras.

SIXTH ANNIVERSARY OF THE  
CORONATION OF POPE PIUS

Rome, Aug. 10.—The sixth anniversary of the coronation of Pope Pius was celebrated with great pomp yesterday. High mass was celebrated in the Sistine chapel with Cardinal Merry Del Val, the papal secretary of state, officiating. A large number of the cardinal members of the diplomatic corps and of the aristocracy and several of the pope's relatives were present. In the afternoon a grand concert was given at the Vatican.

DON'T  
LET

YOUR GROCER

offer you another flour if he is carrying

PEERY'S CRESCENT FLOUR, in stock!

If he isn't, ask him to get it for you—because no other flour will give you the steady satisfaction to be obtained from every sack of

Peery's Crescent Flour sold.



## STANDARD TELEPHONES

EDITORIAL ROOMS—  
Ind. Phone, two rings, No. 55  
Bell Phone, two rings, No. 56  
BUSINESS OFFICE—  
Ind. Phone, one ring, No. 58  
Bell Phone, one ring, No. 58

RANDOM  
REFERENCES

Case Set for August.—Notice was given by Judge J. A. Howell yesterday that the case of H. T. Griffin Co. vs. Oregon Short Line Railway Co., will be on the calendar for August 14.

STORAGE at reasonable rates, in good brick building. If you need any room, consult John Scowcroft & Sons Company.

Filed Answer to Complaint.—F. C. Leggett, a defendant in the case of A. W. Stowe & Co. vs. J. C. Leggett and George Taylor, filed an answer to the complaint made by the Stowe Co., and stated that a horse which he had bought from the plaintiff was sold to him, under false qualification and he refused to pay for it because he had been duped, and instead of awarding judgment to the horse dealers he asks that judgment be given him on a counter charge.

Idlewild is now open under new management.

Filed Petition With County Clerk.—Mrs. Coralline E. Roche and her son John F. E. Roche, filed a petition with the county clerk yesterday, applying as administrators of the estate of the late Dr. Francis E. Roche.

For wedding decorations Van der Schult Flor Co.

Bound Over to District Court.—Edward Hoenen, the fellow who stole a horse and saddle from Henderson, the florist, some time ago, was bound over to the district court yesterday on a charge of grand larceny.

Ice Cream Cones, at Wright's Candy Department, 5c.

At G. A. R. Headquarters.—The G. A. R. headquarters presents a busy scene at any time during the day to the casual observer. There is a book there for each state for the convenience of old G. A. R. men who care to look up old friends in the Railway city, and up to date the state books record the following number of names: Illinois, 7; Colorado, 2; Maine, 2; Missouri, 1; Pennsylvania, 4; West Virginia, 1; Iowa, 3; Michigan, 1; Massachusetts, 1; Wisconsin, 5; Indiana, 2; New York, 3; Tennessee, 1; California, 1; Ohio, 6.

Buy Kodaks and Supplies from The Tripp Studio, 240 25th St.

Hand Painfully Injured.—William Telford, a farmer residing in West Weber, was painfully injured yesterday while threshing. In some unaccountable manner his left hand was caught in the belting and his arm was severely wrenched and lacerated. Luckily no bones were broken and although from severe straining of the ligaments he is not considered to be seriously affected. Dr. Robinson was called and treated the injured member.

E-Z-Money Kelly.—Money to loan on any good real estate. Geo. J. Kelly.

Reserve Agent for Local Banks.—Word has been received from Washington that the Union Stockyards National bank of South Omaha, Neb., has been appointed by the comptroller of the currency as a reserve agent for the First National bank and the Platte River National bank of Ogden.

Hess Bread is made in a clean shop. All doughs are mixed by machinery.

South Dakota Visitor.—Mrs. Harry Lumley of Pierre, S. D., is in Ogden visiting Mrs. Ross Adams and Mrs. W. A. Sackett and renewing old acquaintances. Mrs. Lumley will be remembered as Miss Ella Sieffert, for a number of years in the employ of Wright Brothers store. She expressed surprise and was exceedingly pleased with the growth of Ogden during the time she has been away.

Awarded Judgment.—Yesterday in the Second District Court, The Consolidated Wagon and Machine Company was awarded a judgment of \$170-\$55 attorneys fees, and costs of court, from B. F. Blaylock, Jr., on a promissory note.

Filed for Probate.—The will of Summers O'Neill was filed in the County Clerk's office yesterday. The estate is valued at \$3,000 and after all debts which were accumulated by the deceased are paid she wished it to be distributed in the following manner: John C. Summers, a son, is to receive one-third; her grand-daughter, Adeline Greene, one-third; her daughter, Mrs. Elizabeth Van Dooser, one-sixth; and her grand-son, Charles Summers, one-sixth. She asked that Alma Keys and Adeline Greene be appointed as administrators of the estate, and they filed their applications.

Buried in Huntsville.—The funeral of Louisa Wietzel was held yesterday at 1 p. m., at the residence in Huntsville. Bishop's counselor, A. J. Anderson, presided and he, with Lois K. Peterson were the speakers. There was a large attendance and many floral offerings. Interment was made in the Huntsville cemetery.

HUSBAND AND WIFE TO  
TRY TO KILL THEMSELVES

Chicago, Aug. 10.—After locking their two children in a bedroom and fastening all the doors of their flat, Antonio Spizziri and his wife, Anna, went into the darkened parlor yesterday and tried to kill each other. The woman was shot twice and stabbed twice. She died before the police arrived. The husband was shot twice also, and probably will die.

FORTY GUESTS AT HOTEL  
HAVE NARROW ESCAPE

Mackinac Island, Mich., Aug. 10.—Forty guests had narrow escapes from death early today when the Hotel Hessel, at Hessel, Mich., eighteen miles northeast of here, was burned to the ground. A number of them escaped in their night clothing and lost all their baggage.

LADIES HAVE  
THE RIGHT  
OF WAYLARGEST SHOWCASE IN UTAH  
NOW BEING BUILT.In Which Needle Work at the Four-  
State Fair Will Be Exhibited,  
Beginning September 6.

The fair grounds are being prepared for the big fair. The Flewelling Planning Mills company is just finishing a showcase 68 feet long by 3 feet wide, which is being placed against the north wall of the large exhibition building. This showcase is to be used exclusively for the needlework department. The showcase is provided with lock and key. Hereafter the ladies need not fear for the safety of their exhibits, nor need they worry about the dust settling on their fancy work.

Some of the directors have been making fun of Doctor Rowe and Mr. Glassmann, who have put in the showcase. It is claimed that the ladies of Ogden could not in ten years fill this big showcase. But those responsible for these special interests in ladies' work simply smile and say, "Wait for the fair."

Mrs. Will Bart, supervisor of the needlework department, is delighted with the showcase and says she will now be able to show her exhibits which was impossible last year.

Let every lady show her best handiwork and thereby prove that the showcase is not only all right, but none too big.

G. A. R. DAILY SALT LAKE EX-  
CURSION, VIA BAMBERGER LINE

August 8th to 15th, daily, \$1.00 round trip Ogden to Salt Lake; return limit August 17th. Sixteen trains daily.

Sergeant Todd Tells Start-  
ling Story of Death of  
Lieut. Sutton.

(Continued From Page One.)

Mrs. Rose Sutton Parker, sister of Lieut. Sutton, was called to the witness stand. Mrs. Parker said she started for Annapolis on the day following her brother's death, previously making preliminary arrangements for his burial at Arlington, because, as a suicide, he could not be buried in the cemetery lot of the family in Portland, Ore., they being members of the Roman Catholic church. She was advised by Col. Doyen, commandant of marines, not to look at her brother's body, owing to the condition of the head, which she said Col. Doyen told her showed a number of wounds of various sorts. She told of receiving at the barracks clothing and other effects of her brother's, and of sending them home to Portland.

Mrs. Parker told of interviews at her room in Carvel hall with several of the young lieutenants. She asked that Lieut. Adams be her witness because the lieutenant seemed ill at ease when she met him, and because she believed he had information which he probably would not give her in the presence of others. The interview began at 4 and ended at 10 p. m. Relating what passed, she said she asked Adams to tell her everything about her brother's death and not spare her feelings, and that Adams told her of Lieut. Sutton's unpopularity with the other officers. Reading from the record of Lieut. Adams' testimony, questions which the latter had declared he could not answer, as he did not remember, Mrs. Parker declared Adams had told her of the incidents of the fight that followed the automobile trip to "the dump."

She said Adams told her that her brother went for weapons, having declared he would kill Adams, Utley and Osterman, and that he described the final encounter. Mrs. Parker said Adams told her he would not swear her brother committed suicide; that he knew if Sutton had lived, his own life would have been in danger, "that Sutton would get me," Adams, she said, stated Lieut. Utley hated Sutton, and had declared some one ought to "take it out of him." Adams told Mrs. Parker, she said, that if Captain Marx claimed Sutton owed money, not to pay it as Sutton owed him nothing. After the interviews, Adams, she said, accepted her invitation to dinner, which was taken with two other men at a restaurant.

Adams had told her that every one in Annapolis believed he had killed Sutton. She disclaimed to him such belief. Mrs. Parker told Adams, she said, that all she wanted was to prove her brother was not a suicide, as were he that, his mother would, by her faith, be compelled to believe her son's soul lost. She told Adams if she could do this, the case would be dropped. Mr. Davis here announced that he had concluded Mrs. Parker's direct examination.

The unusual proceeding of legal counsel on both sides of a case presenting argument to the public through the newspapers while the case is being heard in court occurred today when Attorney Arthur A. Birney, representing Lieut. George E. Adams and Attorney H. E. Davis, counsel for Mrs. James N. Sutton, both discussed in statements to the press the case now before a naval court at Annapolis.

Attorney Birney for the defendant, Lieutenant, contended Mrs. Sutton failed to produce any evidence when placed on the stand to substantiate her charges.

"The admissions of Mrs. Sutton while on the witness stand that she is, and always has been, without any evi-

dence to sustain her charges and that they originated in a premeditated vision, should dispel the last lingering suspicion in the public mind that Lieut. Sutton's death was caused by his brother officers, or that blame for it should attach to them," said Mr. Birney.

Attorney Davis in his statement regarding the introduction yesterday of letters written by Mrs. Sutton, declared, "Neither Mrs. Sutton's counsel, nor so far as has been learned, any listener—outside of those committed in advance to a support of the finding at the inquest—could see the least bearing of either the letters themselves or cross-examine them on the question at issue."

Annapolis, Aug. 9.—The reading of the record of last Saturday, when the board of inquiry investigating the death of Lieutenant James N. Sutton conducted the proceedings of that day in secret and the cross-examination of Mrs. Sutton, the mother of the dead officer, occupied practically all of today's session.

No sooner had Mrs. Sutton taken the stand than Major Leonard, judge advocate, demanded that the letters of Mrs. Sutton, read in the closed session, be read in public, along with the records.

"We have been accused of holding a star chamber session," declared the judge advocate, "and, besides, there are sundry other mothers who are entitled to know that their sons are accused of crime."

A hot wrangle ensued. Lawyer Davis, counsel for Mrs. Sutton, argued against the necessity of making the letters known, as they had no actual bearing on the evidence. The public reading at this time would be merely catering to a prurient curiosity, he contended. The four letters were written to H. M. Swartz, a clerk in the marine corps paymasters office in Washington, by Mrs. Sutton.

The court decided that they be read. Mrs. Sutton's letters showed very bitter feeling on her part against a number of the officers of the marine corps, and bristled with condemnations of Sutton's brother officers and the finding of the first inquest relative to Sutton's death.

Under cross-examination Mrs. Sutton bore herself well.

TAKE A TRIP TO OGDEN CANYON,  
A MOST BEAUTIFUL RIDE.

Cars leave Union Depot at 6:20 a. m. and every 40 minutes thereafter until 11:00 a. m. and then every 20 minutes until 10:20 p. m. Last two cars leaving Hermitage at 11 p. m. and 11:40 p. m.

Tickets on sale at the following places:

Carr's Drug Store,  
Cave's Drug Store,  
Devere's Drug Store,  
Brown's Drug Store,  
Culley Drug Store,  
Bacon's Drug Store,  
Hummelway & Moser Cigar Store,  
Ogden Canyon Autos connect with every car. Round trip from Hermitage to Idlewild and the Oaks Twenty-five Cents.

First Auto leaves Oaks and Idlewild at 7:20 a. m. and last 11 p. m., connecting with each car at Hermitage.

Pinchot Receives Ovation  
at National Irrigation  
Congress.

(Continued from Page One)

"The first thing we need in this country, as President Roosevelt so well set forth in that great message which told what he had been trying to do for the American people, is equality of opportunity for every citizen. No man should have less, and no man ought to ask for any more. Equality of opportunity is the real object of our laws and institutions. Our institutions and our laws are not valuable in themselves. They are valuable only because they secure equality of opportunity for happiness and welfare for our citizens. An institution or a law is a means, not an end, a means to be used for the public good, and to be interpreted for the public good. One of the great reasons why President Roosevelt's administration was of such enormous value to the plain American was that he understood what St. Paul meant when he said: 'The letter killeth, but the spirit giveth life.' To follow blindly the letter of the law, or the form of an institution without intelligent regard both for its spirit and for the public welfare, is very nearly as dangerous as to disregard the law altogether. What we need is the use of the law for the public good and the construction of it for the public welfare."

"It goes without saying that the law is supreme and must be obeyed. Our civilization rests on obedience to law. But the law is not absolute. It requires to be construed. Rigid construction of the law works, and must work, in the vast majority of cases; for the benefit of the men who can hire the best lawyers and who have the sources of influence in law-making at their command. Strict construction necessarily favors the great interests as against the people, and in the long run can not do otherwise. Wise execution of the law must consider what the law ought to accomplish for the general good. The great oppressive trusts exist because of subversive lawmaking and adroit legal constructions. Here is the central stronghold of the money power in the everlasting conflict of the few to grab, and the many to keep or win the rights they were born with. Legal technicalities seldom help the people. The people, not the law, should have the benefit of every doubt."

"Equality of opportunity, a square deal for every man, the protection of the citizen against the great concentrations of capital, the intelligent use of laws and institutions for the public good, and the conservation of our natural resources not for the trust, but

Free Neckties  
Free Suspenders

For Five Days

Commencing August 10

WITH EACH PURCHASE OF MEN'S, BOYS', WOMEN'S OR  
MISSSES' SHOES, OR OXFORDS THE PURCHASER WILL BE  
PRESENTED WITH EITHER A NECKTIE OR A PAIR OF SUS-  
PENDERS.

FIVE DAYS ONLY

## BLAIR-ROBERTS CO.

2343 Washington Avenue

JUST A FEW  
SPECIALTIES—Don't worry about the quality—We buy only the first class fruit.

Crabapples, pound	4c	Plums for Jelly, pound	3c
Peach Plums, pound	3c	Red Astrachan Apples, box \$1.20	
Plum Tomatoes, pound	4c	Jelly Glasses, doz.	25c
Large, firm Tomatoes	5c		
Large, pink Utah Peaches, pound	5c		
Fancy Roasting Ears, all good, doz.	15c		
Fancy New Comb Honey, 2 lbs. for	25c		

## THE SMITH GROCERY

THE BUSY STORE

Twenty-sixth and Wash. Both Phones: Bell, 91; Ind. 1163.

wealths would be able to care for themselves.

The congress opened with the "Irrigation Ode," sung by the Spokane chorus of 250 voices. The address of welcome to the state was delivered by Governor M. E. Hay of Washington.

The response on behalf of the congress was made by George E. Barstow, president of the congress. He said: "It is understood that a number of state delegations have declined to commit themselves in the matter of endorsing a candidate for president. This is true in the case of President Barstow, who, although not an announced candidate, has not been urged strongly for a second term because of the feeling that the honor should be 'passed around.' Other candidates for the presidency of the congress developed during the day in the persons of former Governor Gooding of Idaho, former Governor Pardee of California, and Congressman Mondell of Wyoming."

Former Governor Pardee of California was appointed temporary chairman of the resolutions committee, but no action will be taken toward permanent organization of that committee the present.

The question of a next meeting place has narrowed down to a fight between San Francisco and Pueblo, Colo., with Denver pledged to aid the latter. Illinois probably will throw its strength to San Francisco and there seems to be much sentiment for the California city. Among the smaller cities mentioned is El Paso.

MAN WITH SMALLPOX IS FOUND ON STREET

Apprehended by Assistant Health Commissioner Paul and Sent to Hospital.

Salt Lake, Aug. 10.—"I've seen marks like those before," was the ejaculation of Assistant Health Commissioner Dr. Samuel G. Paul, when Christopher B. Diehl, former judge of the police court, called his attention to marks on the neck of a man walking along Main street in the business district, Monday morning.

"Come here, you," shouted the commissioner, and the man obeyed, although grudgingly, protesting under the mistaken impression that he was being arrested, that he had done nothing.

"That's all right," was the soothing reply of Dr. Paul, "but you just come along with me to my office."

There Dr. Paul made an examination, which verified his conclusion reached on the street that the man had smallpox. The man protested, however, that he had just seen a physician, who told him that he was all right, but the assistant commissioner was not in a pleasant frame of mind at having his health record for the week of the encampment spoiled, and he quickly called a quarantine officer and banded the man off to his lodging place.

There, fresh difficulty was encountered. The landlady refused to allow the stricken man to re-enter her place, and he had to sit out in yard under guard, while Dr. Paul made arrangements to reopen the isolation hospital, just closed last Friday.

The latest victim of the disease is E. A. Kennedy, 21 years old, of 232 First South street.

MUSHROOM FOUND IN NEW  
JERSEY WEIGHS 43 POUNDS

Trouton, N. J., Aug. 10.—Edward B. Sterling of this city has discovered in the outskirts of the town the largest specimen of polyporus on record. The mushroom weighs forty-three pounds, is 13 inches in height and measures 105 inches in circumference.

PRINCE LVOFF HERE.

New York, Aug. 10.—It was learned today that Prince Lvoff of Moscow, has been in this country several days on a mission unknown to the Russian general. The prince was one of the three new members of the duma who refused to sign the revolutionary manifesto to the Russian people issued at Viborg on July 23, 1906, and who upheld Emperor Nicholas in dissolving parliament.

The  
Demand  
for Gas

Is steadily increasing. Those who have installed gas ranges are profuse in their praises. Ogden will soon become a gas cooking city; the people have never been given the opportunity to cook with gas until this summer, and we are pleased with the results so far obtained with the general introduction of the gas range and water heater, which are meeting with general satisfaction. We are running free gas service and the cost of connecting the stoves and heaters is small.

Please remember that we exchange the old incandescent lamps purchased from us for new ones, costing you 10c. We also loan you an electric flat iron for 30 days' trial, costing \$4.00, if purchased.

UTAH LIGHT & RV. CO.  
D. DECKER,  
Local Manager.AT THE TENT  
Corner Twenty-fifth and Grant  
THE ANGELS—  
THEIR NATURE AND WORK.

est specimen of polyporus on record. The mushroom weighs forty-three pounds, is 13 inches in height and measures 105 inches in circumference.

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HO! FOR SYLVAN PARK  
The Only Place on Earth for a Good Dance  
DADDY GAYMON, Manager